

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ALEJANDRO DOMINGUEZ BOJORQUEZ,)
)
Defendant.)

) Case Number 3:05-cr-00066-RRB- ALL

AFFIDAVIT OF REX LAMONT BUTLER

STATE OF ALASKA)
)
THIRD JUDICIAL DISTRICT)

REX LAMONT BUTLER, being first duly sworn upon oath, deposes and states as follows:

1. that I am the attorney of record for the defendant in this case, Alejandro Dominguez Bojorquez;
2. that I am requesting both non-opposed motions be heard on shortened time;
3. that February 13, 2006, is the current deadline for the defense to file their objections to the presentence report;
4. that I am asking for a thirty day continuance in which to file those objections;
5. that I am also asking for a continuance of at least thirty days in the sentencing, which is currently scheduled for

March 10, 2006;

6. that I anticipate traveling to Washington State to consult with my client;

7. that I was in a murder trial in SOA v Cynthia Estes, case number 3PA-04-2796 CR., before Judge Eric Smith in Palmer, from January 17, 2006, through February 3, 2006;

8. that this trial lasted three weeks and I did not receive the verdict until Friday, February 3 2006, in Palmer, Alaska;

9. that it is important that these issues be addressed prior to sentencing so as to avoid claims of ineffective assistance of counsel;

10. that I would request the court consider these issues and reschedule the sentencing far enough out to allow me time to travel out of state and consult with my client;

11. that my office spoke with Monica, Assistant U.S. Attorney Karen Loeffler's paralegal on February 8, 2006, and she gave us Ms. Loeffler's non-opposition to both motions;

12. that my office experienced technical difficulties with the electronic filing of this motion on Friday, February, 10, 2006, and again today on Monday, February 13, 2006, and

13. that my office called the U.S. Attorney's Office on Monday, February 13, 2006, and was advised AUSA Karen Loeffler is

out of the office through February 20, 2006;

14. that my office left a voice mail message with Monica, Ms. Loeffler's secretary, indicating our office needs thirty days from the date of this filing;

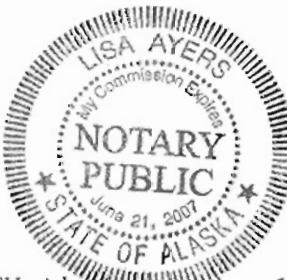
15. that I believe if the objections to the presentence report deadline and sentencing were continued it would not prejudice the government's case.

Further your affiant saith naught.

DATED at Anchorage, Alaska, on this 13th day of February, 2006.

Rex Lamont Butler

SUBSCRIBED AND SWORN to before me on this 13th day of February, 2006.



Lisa Ayers
Notary Public in and for Alaska
My commission expires: 6/21/2007

I HEREBY CERTIFY that on the 13th day of February, 2006, a true and accurate copy of the Affidavit Of Support of Motion On Shortened Time For Motion To Expand The Time To File Objections To The Presentence Report, Motion on Shortened Time for Motion To Continue Sentencing, and Proposed Order(s) was served electronically to:

Karen Loeffler
Assistant United States Attorney
U.S. Attorney's Office

Affidavit of Counsel
Page 3 of 3

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s/Rex Lamont Butler



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